



**CARTER, DELUCA, FARRELL & SCHMIDT, LLP**

ATTORNEYS AT LAW

445 BROAD HOLLOW ROAD

SUITE 225

MELVILLE, NEW YORK 11747

TEL (631) 501-5700

FAX (631) 501-3526

David M. Carter  
Peter DeLuca  
Raymond E. Farrell  
Joseph W. Schmidt  
Jeffrey S. Steen  
Christopher G. Trainor  
George Likourezos  
Edward C. Meagher

*Sender's Direct Dial: (631) 501-5713*

*Sender's e-mail: dbrussel@cdfslaw.com*

Francesco Sardone  
Dana A. Brussel  
Michael R. Brew  
Bernadette M. Bennett  
Rosa B. Suazo  
Thomas M. Rosselli  
Paul J. Natof

Vadim Vapnyar  
Pina M. Gulla  
Jean-Paul Cass  
Michael W. Krenicky\*  
James J. Wiltzius\*  
Mark H. Whittenberg  
Justin Ripley\*

\*Admitted in Connecticut only

November 28, 2005

**VIA FEDERAL EXPRESS**

Registered Patent Agents  
Judy R. Naamat  
Anthony N. Fresco

Kimberly V. Perry, Esq.  
Senior Patent and Trademark Counsel  
United States Surgical, a Division  
of Tyco Healthcare Group LP  
150 Glover Avenue  
Norwalk, CT 06856


Re: U.S. Application Serial No. 10/752,933  
For: FLUID OPERATED RETRACTORS  
Your Ref.: 2500 DIV2 CON2 DIV3 CON8  
Our Docket: 203-3515 DIV II CON II DIV III CON VIII

Dear Kim:

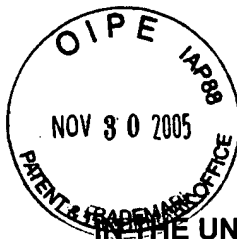
Enclosed please find a copy of a Petition For Extension of Time, Amendment Transmittal and Amendment which we prepared and filed with the U.S. Patent and Trademark Office on November 28, 2005, in connection with the above-identified application.

Should you have any questions, please do not hesitate to contact us at your earliest convenience.

Sincerely,

  
Dana A. Brussel

DAB/mb  
Enclosure



**PATENT**  
Atty. Docket No.: 2500 DIV 2 CON 2 DIV 3 CON 8  
(203-3515 DIV 2 CON 2 DIV 3 CON 8)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Peter M. Bonutti

Examiner: Thaler, Michael H.

Serial No.: 10/752,933

Group Art Unit : 3731

Filed: January 7, 2004

Dated: November 28, 2005

For: **FLUID OPERATED RETRACTORS**

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL FORM**

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ ] Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.

[ ] A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.

[X] **No additional fee is required.**

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDIT. RATE FEE	ADDIT. RATE FEE
TOTAL	*12 MINUS ** 20	= 0	X 25 \$ 0	X 50 \$ 0	
INDEP.	*1 MINUS ** 3	= 0	X 100 \$ 0	X 200 \$ 0	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			X 180 \$ 0	X 360 \$ 0	
			TOTAL ADDIT. FEE	\$ -0-	OR TOTAL \$ 0

\* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

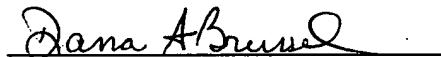
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date below.

Dated: November 28, 2005

Dana A. Brussel

- ☐ Please charge Deposit Account No. **21-0550** in the amount of \$\_\_\_\_. Two (2) copies of this sheet are enclosed.
- ☐ A check in the amount of \$\_\_\_\_ is enclosed.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. **21-0550**. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. **21-0550** therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

  
Dana A. Brussel, Esq.  
Reg. No. 45,717  
Attorney for Applicant(s)

***Carter, DeLuca, Farrell & Schmidt, LLP***  
445 Broad Hollow Road  
Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526  
DAB/mb

**Correspondence Address:**

Chief Patent Counsel  
United States Surgical,  
a Division of Tyco Healthcare Group, LP  
150 Glover Avenue  
Norwalk, CT 06856